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Legal representation Los Angeles Co.

ANNUAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

July 1, 1955 to June 30, 1956

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PUBLIC DEFENDER

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ANNUAL REPORT FOR THE FISCAL YEAR 1955-56

LOS ANGELES COUNTY PUBLIC DEFENDER

The office of the Public Defender of the County of Los Angeles serves approximately five million people residing within its borders. While the population is steadily growing, the rise in the case load of the office is not steady, but fluctuates from season to season. The last two months of the fiscal year 1954-55 showed a decline in the number of cases received by the office. This case load continued at a low level until November 1955, then a gradual increase was evident and by March 1956 the office was again carrying a heavy case load. By the end of the fiscal year there were almost as many new felony cases as in the preceding year, which was one of the heaviest in the history of the office. However, the overall load, i.e., felony, sex psychopath, insanity, violation of probation, and other like cases, brought the load to a point exceeding the previous year by almost five hundred.

JURISDICTION AND DUTIES:

The California Government Code provides:

"Sec. 27706. The public defender shall perform the following duties:

"(a) Upon request of the defendant or upon order of the court, he shall defend, without

expense to the defendant, any person who is not financially able to employ counsel and who is charged with the commission of any contempt or offense triable in the superior court at all stages of the proceedings, including the preliminary examination. The public defender shall, upon request, give counsel and advice to such person about any charge against him upon which the public defender is conducting the defense, and shall prosecute all appeals to a higher court or courts of any person who has been convicted, where, in his opinion, the appeal will or might reasonably be expected to result in the reversal or modification of the judgment of conviction.

"(b) Upon request, he shall prosecute actions for the collection of wages and other demands of any person who is not financially able to employ counsel, where the sum involved does not exceed one hundred dollars ($100), and where, in the judgment of the public defender, the claim is valid and enforceable in the courts.

"(c) Upon request, he shall defend any person who is not financially able to employ counsel in any civil litigation in which, in the judgment of the public defender, the person is being persecuted or unjustly harassed.

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"(d) Upon order of the court, he shall represent any person who is not financially able to employ counsel in proceedings under Chapter 4 of Part 1 of Division 6 of the Welfare and Institutions Code." (Sec. 5511 - Sex psychopaths.)

State law also provides that the Public Defender represent persons who seek a pardon and restoration of civil rights through rehabilitation proceedings, who have been convicted of a felony and served a term of imprisonment therefor. (Sec. 4852.08, Penal Code.)

In previous annual reports reference was made to the County Charter in defining the duties of the office. Because of state legislation on the functions of the office, enacted within the last decade, we quote the state law instead of the charter. The state law has added to and not deleted anything from the content of the County Charter provisions.

PERSONNEL:

The office, at the start of the fiscal year, embraced the Public Defender, Chief Deputy and twenty-three Deputies Public Defender. Because of the upsurge in the case load soon after the calendar year began, it was necessary to employ an additional deputy. All but three of the deputies are assigned to the handling of criminal cases. Those three deputies are assigned to matters embraced within the civil jurisdiction of the office.

The office had an investigation staff of four - one Lieutenant and three Investigators - until November 1955 when an additional Investigator was employed. The clerical staff consists of one Senior Secretary, one Intermediate Secretary, three Legal Secretaries, one Intermediate Stenographer and one Stenographer.

LOCATION:

The main office of the Public Defender is located in the Hall of Records, in the Civic Center of Los Angeles. A number of years ago a branch office was opened to serve the departments of the Superior Court in Long Beach. The Long Beach office is staffed with two Deputies Public Defender and one Legal Secretary. The criminal departments of the Superior Court functioning in Pasadena, Pomona and Santa Monica are served by deputies working out of the main office.

FUNCTIONS:

The work as it relates to the criminal phase - preliminary examinations, arraignments, pleas, trials, probationary hearings, violation of probation hearings, and modifications of probation, appeals, etc. - seems to be pretty well known.

As to the functions of the office in the civil division, this is the less spectacular phase of the work but nonetheless it is important both from the viewpoint as to the rights of the individual involved and indirectly as it affects county government expenditures. The greater

portion of accepted cases involve the release of wages from attachment. Releasing the wages, which may be wrongfully attached, of the head of a family otherwise destitute helps the family and frequently keeps them from being forced to apply for assistance from the county or from some charitable institution.

The office exercises extreme care that none but those properly eligible for legal assistance are accepted. Those who are not eligible are referred to some other proper agency or to private attorneys.

INVESTIGATORS:

The work of the investigation staff is confined almost exclusively to the criminal jurisdiction of the office. The investigators' duties are comparable to those of investigators in any private law office or the District Attorney's office - locating witnesses and making field investigations of cases assigned to them by the trial deputies. The policy of the office is to investigate thoroughly and ascertain the true facts, regardless of whether it proves favorable or unfavorable to the accused. This phase of the work of the office has resulted in substantial economy which is reflected by the number of dismissals. In many instances unimpeachable evidence was discovered showing the complete innocence of the defendants although at first the evidence appeared strong against them. On the other hand, the facts brought to light by the same type of investigation have been instrumental in bringing about a substantial number of pleas of guilty in proper cases.

In the following statistical data it will be noticed the term "Master Calendar Department" is used. To avoid confusion, this term perhaps merits a brief explanation. In the central Los Angeles area there are eight superior court departments devoted to handling criminal cases exclusively. (This does not include the outlying branch courts.) One of these courts is designated the "Master Calendar" and all arraignments of felony cases first appear here. If on arraignment the defendant pleads guilty, the matter will be handled through to termination in the Master Calendar Department. If, on the other hand, the defendant pleads not guilty, the case is transferred to one of the other seven departments, which are designated "Trial Departments."

The areas served by branch courts, Long Beach, Santa Monica and Pasadena, where more than one department is in operation, a similar setup prevails, i.e., all arraignments initially appear in a Master Calendar Department in their respective areas.

COMPOSITE STATISTICAL RECORD
OF CRIMINAL WORK OF OFFICE
July 1, 1955 to June 30, 1956.

NUMBER OF NEW CASES RECEIVED (excluding preliminary hearings):			
Los Angeles:			
Felonies	3,786		
Contributing	111		
Long Beach	455		
Pasadena	261		
Pomona	181		
Santa Monica	263	5,057	
VIOLATIONS OF PROBATION:			
Los Angeles	481		
Long Beach	79		
Pasadena	28		
Pomona	23		
Santa Monica	13	644	
PRELIMINARY HEARINGS:		2,560	
MISCELLANEOUS (all courts):			
Civil insanity (trials)	77		
Present sanity (certified from municipal court)	24		
Sex psychopath hearings	80		
Sex psychopaths returned for hearing	140		
Civil insanity petitions	109		
Motions (miscellaneous)	4		
Probation and sentence hearings (appointed for that purpose only)	31		
Juvenile petitions	4		
Psychopathic delinquent minors	2		
Fugitive warrant	1		
Modification of probation (petitions)	14		
Youth Authority dismissals	13		
Not guilty/insanity trials (certified from municipal court)	2		
Rehabilitation proceedings initiated	77		
Miscellaneous trial	1	576	8,837
UNFINISHED CASES (all courts): Pending 7-1-55 and Grimed during current year			921
UNFINISHED CASES (all courts): Pending 6-30-56			776
APPEALS			4
DEFENSE OF APPEAL BY PLAINTIFF			1
Number of people interviewed in office on criminal matters			3,324

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES

July 1, 1955 to June 30, 1956

MASTER CALENDAR DISPOSITIONS (no trial):		
Pleaded guilty	2,336	
(Substituted out after plea - 37)		
Substituted out before plea	200	
Dismissed	143	
Transferred to Juvenile Court	30	
Placed off calendar because:		
Presently insane	6	
Defendants unavailable - bench warrants issued	4	
Miscellaneous reasons	1	2,690
TRIAL COURT DISPOSITIONS (no trial):		
Pleaded guilty	641	
(Substituted out after plea - 5)		
Substituted out (private attorney procured or in pro. per.)	235	
Dismissed	93	
Transferred to Juvenile Court	5	
Off calendar because:		
Civil insanity petition filed	2	
Defendants unavailable - bench warrants issued	6	
Presently insane	2	984
TRIAL BY JURY - TO VERDICT (jury cases):		134
TRIAL BY COURT - TO DECISION (without jury):		49
VIOLATIONS OF PROBATION:		
Probation revoked	321	
Probation reinstated	287	
Substitutions	20	
Sex Psychopaths	2	
Off calendar - defendant unavailable - bench warrants issued	1	631

SUMMARY OF DISPOSITIONS OF CRIMINAL CASES
(continued)

PRELIMINARY HEARINGS:		
Held to answer	1,703	
Transferred to Juvenile Court	3	
Pleaded guilty to misdemeanor	212	
Dismissed or otherwise disposed of	100	
Substitutions	577	
Off calendar - defendant unavailable - bench warrants issued	1	2,569
CONTRIBUTING TO DELINQUENCY OF MINOR CASES:		
Pleaded guilty	38	
Dismissed or placed off calendar	32	
Substitutions	26	
Transferred to Juvenile Court	2	
Trials by court - no jury	4	
Trials by jury	2	104
MISCELLANEOUS PROCEEDINGS:		
Petitions to modify probation:		
Granted	11	
Denied	2	
Off calendar	1	14
Youth Authority petitions to dismiss		9
Juvenile petitions, motions and miscellaneous hearings		43
Insanity proceedings certified from municipal court (not guilty/insanity pleas)		22
Sex psychopath - original hearings		31
Sex psychopaths - returned from state hospital for sentence or other disposition		141
Rehabilitation proceedings:		
Granted	7	
Denied	-	
Closed for various reasons - dead, moved, abandoned, etc.	52	59

CIVIL JURISDICTION

July 1, 1955 to June 30, 1956

Applications in which advice was given:		
Los Angeles	6,576	
Long Beach	228	7,504
Applications rejected:		
Refused:		
Los Angeles	324	
Long Beach	60	384
Referred to attorneys:		
Los Angeles	2,970	
Long Beach	71	3,041
*Applications referred to other agencies and unclassified:		
Los Angeles	1,916	
Long Beach	102	2,018
Accepted cases (see next table):		
Los Angeles	3,083	
Long Beach	248	3,331

*Because the subject matter was not within the office jurisdiction; applicants not interviewed as no deputy available.

DETAIL OF ACCEPTED CASES

Illegal attachments - garnishments:		
Los Angeles	2,102	
Long Beach	207	2,309
Guardianships:		
Los Angeles	298	
Long Beach	-	298
Persecutions - other than exemptions and invalid assignments:		
Los Angeles	58	
Long Beach	41	99
Wage claims and miscellaneous:		
Los Angeles	326	
Long Beach	-	326
Waivers of premarital test:		
Los Angeles	198	
Long Beach	-	198
		3,230

CIVIL JURISDICTION

(continued)

RECEIPTS FOR CLIENTS

Wages released from illegal attachments - garnishments:		
Los Angeles	$128,441.14	
Long Beach	11,291.87	$139,733.01
Defense in civil cases:		
Los Angeles	3,264.34	
Long Beach	-	3,264.34
Miscellaneous items:		
Los Angeles	8,157.42	
Long Beach	-	8,157.42
Collected on cases pending 7-1-55		9,390.85
Total collected 7-1-55 to 6-30-56		$160,555.62

Total appearances in court on civil cases:		
Los Angeles	1,113	
Long Beach	8	1,121

INVESTIGATIONS DIVISION

July 1, 1955 to June 30, 1956

Criminal cases investigated	2,340
Civil cases investigated	20
	2,360

*Defendants represented, criminal	2,392
Persons interviewed in field	9,021
Persons subpoenaed at interview	530

*A case sometimes involves more than one defendant.

INVESTIGATION DIVISION

(continued)

CHARGES INVESTIGATED

Robbery	140	236 P.C.	1
Att. Robbery	18	Pimping	3
Murder	44	Indecent exposure	2
Att.Murder	3	Narcotics	100
Grand Theft	80	Forgery	320
Grand Theft/Person	25	Checks NSF	175
Att. Grand Theft	4	Receiving Stolen Property	13
Grand Theft/503 P.C.	182	Escape	30
Petty Theft	62	ADW/Murder	11
Burglary	328	501 V.C.	17
Att. Burglary	12	480 V.C.	33
Burglary/Grand Theft	9	502 V.C.	15
Manslaughter	10	500 V.C.	1
Assault Deadly Weapon	81	278d P.C.	9
Assault/Force	7	Civil Insanity	20
Assault/Will	31	Miscellaneous	16
Assault/Rape	6	Civil	10
Rape	74	Arson	4
Att. Rape	7	Bookmaking	7
288 and 288a P.C.	112	Violation Probation	4
Contrib.to del.minor	10	Perjury	1
Incest	4	Extortion	2
Kidnap	6	Sexual Psychopath	3
Kidnap/Robbery	7	Deadly Weapons Control Law	13
Abortion	1		

TOTAL CHARGES INVESTIGATED 2,360

FINANCIAL REPORT

OF

PUBLIC DEFENDER OF LOS ANGELES COUNTY

MONEYS RECEIVED

Total amount of moneys collected and received for and on behalf of the persons represented by the Public Defender under the law. Said moneys were collected from claimants for costs and from defendants indebted to said persons as represented:	$365.57

No moneys belonging to the County of Los Angeles were collected.

MONEYS EXPENDED

Total Salaries		$289,585.70
Total Outlay Expenditures:		
Books	$ 290.67	
Furniture & Furnishings	1,128.82	1,419.49
Total Maintenance & Operation		10,309.52
		$301,314.69

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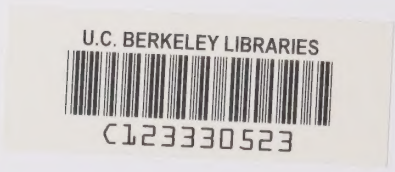

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